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Attorneys for Defendants SAVASENIORCARE, LLC; SAVASENIORCARE ADMINISTRATIVE SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC PITTSBURG OPERATING COMPANY, LP; SSC SUBMASTER HOLDINGS, LLC; SSC OPERATING COMPANY, LP, dba DIAMOND RIDGE HEALTHCARE CENTER (erroneously sued and served as Diamond Ridge Healthcare Center)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JACK GARRETT,

Plaintiff,

vs.

SAVASENIORCARE, INC.; SAVASENIORCARE, LLC; SAVASENIORCARE ADMINISTRATIVE SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC PITTSBURG OPERATING COMPANY, LP; SSC SUBMASTER HOLDINGS, LLC; DIAMOND RIDGE HEALTHCARE CENTER; and DOES 1-100, inclusive,

Defendants.

CASE NO. 3:16-CV-01170 MEJ

**STIPULATION AND ORDER TO REMAND
CASE TO STATE COURT**

RECITALS

1. Plaintiff JACK GARRETT (“Plaintiff”) commenced this action by filing a complaint in the Superior Court of the State of California in and for the County of Contra Costa (the “State Court”) on or about February 2, 2016, against Defendants SAVASENIORCARE, LLC; SAVASENIORCARE ADMINISTRATIVE SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC PITTSBURG OPERATING COMPANY, LP; SSC SUBMASTER HOLDINGS, LLC; SSC OPERATING COMPANY, LP, dba DIAMOND RIDGE HEALTHCARE CENTER (erroneously sued and served as Diamond Ridge Healthcare Center) (collectively “Defendants”), Contra Costa County Superior Court Case No. C-16-00160. Plaintiff’s complaint alleged causes of action for: (1) Elder Abuse, (2) Negligence, and (3) Violation of Patient’s Rights.

1 2. On or about February 16, 2016, Plaintiff served his Complaint on all Defendants.

2 3. On March 9, 2016, Defendants removed this matter to this Court based on Diversity
3 jurisdiction.

4 4. Defendants did not answer Plaintiff's Complaint in State Court. On March 17, 2016, a
5 Stipulation and Order Extending Time to File Responsive Pleading was filed with this Court. The
6 Order on Stipulation extended the time to file a responsive pleading until April 8, 2016. On April 7,
7 2016, a Second Stipulation and Order Extending Time to File Responsive Pleading was filed with this
8 Court extending the time to file a responsive pleading until April 22, 2016.

5. The parties have further met and conferred and agree that each party will bear its own costs and fees with regard to all efforts of removal to this Court as well as remand back to the State Court.

12 **STIPULATION**

13 **NOW, THEREFORE**, Plaintiff and Defendants, by and through their attorneys of record,
14 hereby stipulate and agree that the action shall immediately be remanded to the Superior Court for the
15 State of California, County of Contra Costa.

16 IT IS SO STIPULATED.

17 DATED: April 22, 2016 STEBNER AND ASSOCIATES

18 By: /s/ Kathryn Stebner
19 Kathryn A. Stebner, Esq.
20 Karman Guadagni, Esq.
Attorneys for Plaintiff JACK GARRETT

21 DATED: April 22, 2016 NEEDHAM KEPNER & FISH LLP

22 By: /s/ Craig Needham
23 Craig Needham, Esq.
24 Kirsten Fish, Esq.
Attorneys for Plaintiff JACK GARRETT

25 || ||

26 || || ||

27 | | |

28 |||

1 DATED: April 22, 2016

LEWIS BRISBOIS BISGAARD & SMITH LLP

2 By: /s/ Angele K. Cicala

3 Angele K. Cicala

4 Attorneys for Defendants

5 SAVASENIORCARE,LLC;SAVASENIORCAREADMINISTRATIVE
6 SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC
7 PITSBURG OPERATING COMPANY, LP; SSC SUBMASTER
8 HOLDINGS,LLC;SSCOPERATINGCOMPANY,LP,dbaDIAMOND
9 RIDGEHEALTHCARECENTER(erroreouslysuedandservedasDiamond
10 RidgeHealthcareCenter)

11 I hereby attest that I have on file all holographic signatures corresponding to any
12 signatures indicated by a conformed signature (/s/) within this e-filed document.

13 DATED: April 22, 2016

LEWIS BRISBOIS BISGAARD & SMITH LLP

14 By: /s/ Angele K. Cicala

15 Angele K. Cicala

16 Attorneys for Defendants

17 SAVASENIORCARE,LLC;SAVASENIORCAREADMINISTRATIVE
18 SERVICES, LLC; SAVASENIORCARE CONSULTING, LLC; SSC
19 PITSBURG OPERATING COMPANY, LP; SSC SUBMASTER
20 HOLDINGS,LLC;SSCOPERATINGCOMPANY,LP,dbaDIAMOND
21 RIDGEHEALTHCARECENTER(erroreouslysuedandservedasDiamond
22 RidgeHealthcareCenter)

ORDER

This Court having reviewed the foregoing and good cause appearing therein, orders this case to be remanded to State Court.

IT IS SO ORDERED.

DATED: April 22, 2016



HON. MARIA-ELENA JAMES
MAGISTRATE JUDGE OF THE UNITED STATES DISTRICT COURT